

Howard S. Master
Assistant U.S. Attorney
(212) 637-2248

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO: WARDEN, Five Points Correctional Facility
Caller Box 400, State Route 96
Romulus, New York 14541
(607) 869-5111

and

United States Marshal for the
Southern District of New York

GREETINGS:

YOU ARE HEREBY COMMANDED to have the body of GILBERTO ESTRELLA, a/k/a Pedro Fana, a/k/a David Bolivar-Ceballos, a/k/a Jose Luis Negron-Molina (NYSID # 4697869N; DOB 4/13/1963), now detained at the Five Points Correctional Facility, Romulus, New York, released into the custody of the United States Marshals Service, so that GILBERTO ESTRELLA may be transported under safe and secure conduct to the custody of the warden or the person there in charge, before the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, there to be available for prosecution in connection with his alleged commission of the crime of illegally reentering the United States after having been convicted of an aggravated felony, in United States v. Estrella, 07 Cr. 1117, until immediately after GILBERTO ESTRELLA shall have been discharged or

convicted and sentenced, at which time you shall return GILBERTO ESTRELLA to the Five Points Correctional Facility, Romulus, New York, and have you then and there this writ.

WITNESS the Honorable Denise L. Cote, United States District Judge for the Southern District of New York, at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York 10007, this ___ day of December 2007.

Clerk, United States District Court
Southern District of New York

The within writ is hereby allowed.

Denise L. Cote
United States District Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

AFFIRMATION

GILBERTO ESTRELLA,
a/k/a Pedro Fana,
a/k/a David Bolivar-Ceballos,
a/k/a Jose Luis Negron-Molina,

:

Defendant.

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SOUTHERN DISTRICT OF NEW YORK, ss:

HOWARD S. MASTER, being duly sworn, deposes and says that he is an Assistant United States Attorney in the Office of Michael J. Garcia, United States Attorney for the Southern District of New York; that he is in charge of the above-entitled matter; that one GILBERTO ESTRELLA, a/k/a Pedro Fana, a/k/a David Bolivar-Ceballos, a/k/a Jose Luis Negron-Molina, now incarcerated at the Five Points Correctional Facility, Romulus, New York, has been charged in an indictment with violating Title 8, United States Code, Sections 1326(a) & (b) (2).

No previous application for similar relief has been made.

WHEREFORE, your deponent respectfully prays that a writ of habeas corpus ad prosequendum issue, directing the Warden of the Five Points Correctional Facility, Romulus, New York, and the

United States Marshal for the Southern District of New York to produce the above-named defendant to custody of the warden or the person there in charge, before the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, there to be available for prosecution, as soon as the defendant is available, and after GILBERTO ESTRELLA, a/k/a Pedro Fana, a/k/a David Bolivar-Ceballos, a/k/a Jose Luis Negron-Molina, has been discharged or been convicted and sentenced, to return him to the Five Points Correctional Facility, Romulus, New York.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, PURSUANT TO TITLE 28, UNITED STATES CODE, SECTION 1746.

Howard S. Master
Assistant United States Attorney
(212) 637-2248

Dated: December 12, 2007
New York, New York